

रजिस्टर्ड नं० पी० ६७



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बृहस्पतिवार, २६ मई, १९६९/८ ज्येष्ठ, १८६१

GOVERNMENT OF HIMACHAL PRADESH

LAW DEPARTMENT

NOTIFICATION

Simla-2, the 20th May, 1969

No. 6-91/61-LR.—The Himachal Pradesh Gift Goods (Unlawful Possession) Bill, 1968 (Bill No. 38 of 1968) after having received the assent of the President on the 18th April, 1969, under sub-section (2)

of section 25 of the Government of Union Territories Act, 1963 (Act No. 20 of 1963) is hereby published in the Rajpatra, Himachal Pradesh as Act No. 13 of 1969.

JOSEPH DINA NATH,
Under Secretary, (Judicial).

Act No. 13 of 1969

THE HIMACHAL PRADESH GIFT GOODS (UNLAWFUL POSSESSION) ACT, 1968

AN

ACT

to provide for the punishment of the offence of unlawful possession of gift goods supplied by certain organisations.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Nineteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Gift Goods (Unlawful Possession) Act, 1968.

Short title,
extent
and comm-
encement.

(2) It extends to the whole of Himachal Pradesh.

(3) It shall come into force at once.

2. In this Act, unless there be anything repugnant in the subject or context,—

Definitions

(1) “gift goods” means any of the goods supplied, by way of gift, by any relief organisation to any State Government or the Government of any Union territory or the Central Government or any other person on behalf of such Government;

(2) “relief organisation” means any organisation specified in the Schedule appended to this Act;

(3) “State Government” means the Government of Himachal Pradesh; and

(4) “notification” means notification published under proper authority in the Rajpatra, Himachal Pradesh.

3. If any person is found, or is proved to have been, in possession of any gift goods reasonably suspected of being stolen or unlawfully obtained and cannot account satisfactorily how he came by the same, he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Unlawful
possession
of gift goods.

4. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence under this Act shall be a cognizable offence within the meaning of that Code.

Offences
under the
Act to be
cognizable.

(2) No Court below that of Magistrate of the First Class shall try an offence under this Act.

5. (1) The State Government may, by notification, add any organisation to, or omit any organisation from, the Schedule, and on the publication of such notification, such organisation shall be deemed to be included in, or as the case may be, omitted from, the Schedule.

Power to
amend
Schedule.

(2) Every notification issued under this section shall be laid, as soon as may be after it is issued, before the Legislative Assembly of Himachal Pradesh while it is in session, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly agrees in making any modification in the notification or agrees that the notification should not be issued, the notification shall thereafter have effect only in

such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.

Repeal and savings.

6. (1) The Punjab Gift Goods (Unlawful Possession) Act, 1963, as in force in the territories added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966, is hereby repealed.

24 of 1963

31 of 1966

(2) Notwithstanding the repeal of the Act under sub-section (1), anything done or any action taken, including any order passed or any notification issued in exercise of the powers conferred by or under the said Act, shall, to the extent of being consistent with the provisions of this Act, be deemed to have been done, taken, passed or issued in exercise of the corresponding powers conferred by or under this Act.

THE SCHEDULE

1. United Nations International Children Emergency Fund (UNICEF).
2. Co-operative for American Relief Everywhere (CARE).